

Message Text

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ACTION ARA-14

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FOR UNDERSECRETARY TODMAN

FOLLOWING TELE SENT ACTION MONTEVIDEO NIACT IMMEDIATE
INFO PORT OF SPAIN ROUTINE 09 SEP 77 BEING REPEATED TO
YOU, QUOTE:

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FOR ASSISTANT SECRETARY OF STATE BARBARA WATSON

EO 11652: NA
AGS: CGEN, BL
SUBJECT: VISIT TO BOLIVIA

1. SUMMARY: ASSISTANT SECRETARY OF STATE FOR CONSULAR
AFFAIRS, BARBARA WATSON'S VISIT TO BOLIVIA FROM
SEPTEMBER 1-3 WAS TIMED PERFECTLY TO UTILIZE PRESIDENT
BANZER'S FORTHCOMING VISIT TO WASHINGTON TO IMPEL
FURTHER AND SIGNIFICANT GOB ACTIONS REGARDING THE
PROBLEM OF U.S. CITIZEN DETAINEES. THE ASSISTANT
SECRETARY APPEARS TO HAVE IMPRESSED THE BOLIVIANS WITH HER
UNDERSTANDING OF THE LIMITATIONS OF BOLIVIAN LAW, WHILE
AT THE SAME TIME BRINGING HOME TO THEM THE POLITICAL AS
WELL AS THE JUDICIAL NATURE OF THE PROBLEM. SHE MADE CLEAR
THAT THE PRISONER PROBLEM COULD NOT HELP BUT SERIOUSLY
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AFFECT AND COLOR BILATERAL RELATIONS BETWEEN THE TWO COUNTRIES
IF THE PROBLEM WERE NOT RAPIDLY SOLVED. MISS WATSON CONFERRED
WITH THE MINISTERS OF FOREIGN AFFAIRS AND INTERIOR, THE SUB-
SECRETARY OF JUSTICE, THE HEAD OF THE NARCOTICS POLICE BUREAU,
LOWER COURT JUDGES, AND THE PRESIDENT OF THE SUPERIOR COURT
ARGUING FOR CASE ACCELERATION, HUMANE AND CORRECT TREATMENT,
COMPASSION FOR THE SERIOUSLY ILL AND FAIR AND EQUITABLE

DECISIONS. SHE HELD LENGTHLY DISCUSSIONS WITH EMBASSY LEGAL ADVISERS AND ESTABLISHED A SIGNIFICANT RAPPORT WITH THEM. SHE VISITED ALL THE PRISONERS IN LA PAZ, AND SPOKE INDIVIDUALLY WITH ALL WHO WISHED TO DISCUSS THEIR SITUATIONS WITH HER. DURING HER VISIT THE GOVERNMENT DECREE ELIMINATING MANDATORY SUPREME COURT REVIEW OF NARCOTICS CASES TOOK EFFECT DEFINITELY AND WITHIN TWENTY FOUR HOURS TWO AMERICAN PRISONERS WERE RELEASED--THE FIRST TO BENEFIT FROM ITS PROVISION. END SUMMARY.

2. DURING HER THREE DAY VISIT TO LA PAZ, MISS WATSON, IN A CALM AND CLEAR MANNER, EXPLAINED THE JUDICIAL AND POLITICAL RAMIFICATIONS OF THE PRISONER PROBLEM TO HIGH LEVEL BOLIVIAN OFFICIALS AND THEY SEEMED TO UNDERSTAND THE IMPORTANCE OF ACHIEVING A JUST AND EQUITABLE SOLUTION. TALKS WITH INTERIOR MINISTER PEREDA WHICH BEGAN ON A COOL NOTE ENDED WITH HIS EXPRESSING UNDERSTANDING OF THE NEED FOR CREATIVE AND AFFIRMATIVE ACTION. SUB-SECRETARY OF JUSTICE BALLIVIAN, DURING HIS MEETING WITH MISS WATSON ARRANGED FOR THE ISSUANCE OF A MINISTERIAL NOTICE ADVISING COURTS AND JUDGES THAT THE GOB DECREE ELIMINATING SUPREME COURT REVIEW IN NARCOTICS CASES WAS CONSIDERED BY THE GOVERNMENT TO BE IN FULL FORCE. MISS WATSON ALSO ELICITED A PROMISE FROM THE SUB-SECRETARY TO ACTIVELY SEEK FORMS OF JUDICIAL RELIEF FOR PRISONERS SUFFERING FROM MENTAL OR PHYSICAL LIMITED OFFICIAL USE

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ILLNESSES, THUS PERMITTING THEM TO RETURN TO THE UNITED STATES.

3. IN DISCUSSIONS WITH NARCOTICS BUREAU CHIEF, COL. APARICIO, THE ASSISTANT SECRETARY STRESSED THE IMPORTANCE OF PROMPT NOTIFICATION OF ARREST DIRECTLY TO A CONSULAR OFFICER AS WELL AS PROVISION OF IMMEDIATE ACCESS TO THE DETAINEE BY A CONSULAR OFFICER. COL APARICIO GAVE FULL ASSURANCE THAT NOTIFICATION WOULD BE RAPID AND DIRECT AND INSISTED THAT CONSULAR ACCESS HAS BEEN AND WILL CONTINUE TO BE PROVIDED.

4. MISS WATSON MET WITH EMBASSY LEGAL ADVISERS TOVAR AND QUINTANILLA DISCUSSING THE FUNCTIONING OF THE JUDICIAL SYSTEM AS WELL AS THE REALITIES OF THE INDIVIDUAL CASES. SHE SEEMED TO ESTABLISH CONSIDERABLE EMPATHY WITH THEM AND WAS CONVINCING IN EXPRESSING STATE DEPARTMENT APPRECIATION FOR AND SATISFACTION WITH THEIR WORK AS WELL AS RESPECT FOR THEIR UNDERSTANDING OF BOLIVIAN LAW.

5. IN VISITS TO THE SAN PEDRO MEN'S JAIL, THE OBRAJES

WOMEN'S JAIL AND THE PSYCHIATRIC CLINIC IN MIRAFLORES
WHERE DANIEL GOLDMAN IS INTERNED, MISS WATSON SPOKE WITH
THE AMERICAN PRISONERS IN GROUPS AND THEN MADE HERSELF
AVAILABLE TO SPEAK WITH THEM ON AN INDIVIDUAL BASIS.

6. ON THE MORNING OF SEPTEMBER 3, THE ASSISTANT SECRETARY
MADE AN IMPROMPTU AND INFORMAL VISIT TO THE PALACE OF
JUSTICE WITH CONSULAR OFFICERS AND EMBASSY LEGL ADVISERS.
IN MEETINGS WITH LOWER COURT JUDGES VARGAS-CARDONA AND
ROJAS AND PRESIDET OF THE SUPERIOR COURT LUGONES,
MISS WATSON STRESSED CASE ACCELERATION AND REFERRED TO
SPECIFIC PENDING EXAMPLES (BLUM-LOGAN, PALAZUELOS,
SPAW, PAULSEN AND SANDERS, MCGINNIS, DUFFY AND SULLIVAN,
ETC.) WHICH THE USG IS ESPECIALLY ANXIOUS TO SEE RESOLVED
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IN A HUMANE, EQUITABLE AND EXPEDITIOUS MANNER. WHILE THE
JUDGES INSISTED THAT THEY COULD PROMISE NO MORE THAN
ACCELERATED CONSIDERATION, THEY APPEARED IMPRESSED WITH
MISS WATSON'S LEGAL BACKGROUND AND EXPRESSED THEIR OWN
DEVOTION TO HUMANITARIAN JUSTICE.

7. THE RELASE OF RICHARD FARMER AND DIANA WALKER ON
SEPTEMBER 2 IMMEDIATELY FOLLOWING THE REVOCATION OF
AUTOMATIC SUPREME COURT REVIEW IN NARCOTICS CASES MUST
AT LEAST BE PARTICALLY ASCRIBED TO MISS WATSON'S TENACITY
AND PERSUASIVENESS WITH BOLIVIAN OFFICIALS.

8. NOTE FOR MISS WATSON: FOR YOUR APPROVAL AND FORWARDING
TO WASHINGTON.
SCAFE UNQUOTE,
CHEEK

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